IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2783 OF 2004

P. Ponraj ..Petitioner

Versus

Municipal Corporation of
Greater Mumbai & Ors. ..Respondents

Mr. J.B. Mishra for the Petitioner
Mrs. A.R. Joshi, for the Respondents.

CORAM: F.I. REBELLO, J.
DATE : 5th November,2004

P.C.:

1. The relief in the petition was to direct the respondents to forthwith issue the certified copy of the order dated 7th August, 2003 passed by the Respondent No.2. The order is of 5th August, 2003. The copy of that order was given in the Court itself to the Counsel for the petitioner on the last occasion. Considering that relief in terms of prayer clause (a) no longer subsists.

2. The second contention was that the respondents be directed to forthwith implement the order dated 7th August, 2003 passed by the respondent No.3. From the translated copy of the report prepared by the Vigilance Officer and the order dated 5th August, 2003 passed by the Commissioner it is clear that Shri Velladurai, the Chairman of the Indian Christian Assembly Church, Dhorwada, Dharavi was neither heard nor given an opportunity. In the light of that it will be in the fitness of things before any action is taken on the order of 5th August, 2003 the Ward Officer, G-North Ward will hear both the petitioner herein and Shri Velladurai and after hearing the parties to submit a report to the Municipal Commissioner within a period of four weeks from the date of hearing. The Municipal Commissioner thereafter to pass appropriate orders according to law. If the order dated 5th August, 2003 is to

be retained the Municipal Commissioner thereafter to take action according to law as expeditiously as possible. Rule made absolute accordingly. The Ward Officer to give notice to both parties and submit his report to the Municipal Commissioner at any rate on or before 20th December, 2004.

. Parties/Authorities to act on an ordinary copy of this order duly authenticated by the Associate/Personal Secretary of this Court.

(F.I.REBELLO, J.)